

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 14TH DECEMBER 2007 / 23RD AGRAHAYANA 1929

Bail Appl..No. 7750 of 2007()

CR. NO.19/07 OF ALATHUR EXCISE RANGE
CMP.5741/2007 of J.M.F.C.,ALATHUR
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PETITIONER/ACCUSED

KUMARAN, S/O.SETHU, AGED 19 YEARS,
CHERUVANCHY PARAMBU, CHITTALAMCHERRY,
ALATHUR TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.JOHNSON P.JOHN
SRI.BABY MATHEW

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.
 2. EXCISE INSPECTOR, ALATHUR RANGE,
PALAKKAD DISTRICT.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 14/12/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R. BASANT, J.

B.A.No. 7750 of 2007

Dated this the 14th day of December, 2007

ORDER

Application for regular bail. The petitioner was allegedly found to be in possession of 6 litres of arrack. He ran away on seeing the Excise party. The incident took place on 2.10.2007. He had come to this Court with an application for anticipatory bail. Consequent to the dismissal of the said application for anticipatory bail, he surrendered before the Magistrate on 3.12.2007 and he continues in custody from that date. The petitioner has no history of any criminal antecedents, reports the learned Prosecutor.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer on condition that the Investigator is given sufficient time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall not be released from custody on the strength of this order prior to 21.12.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) The petitioner shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Investigating Officer on all Mondays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

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(R. BASANT)
Judge

